

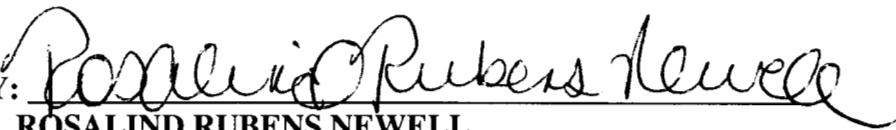
CLAIM OF: MARY BOHANON
2195 Venetian Drive, SW
Atlanta, Georgia 30311

For damages alleged to have been sustained when a brick wall was damaged by a knuckleboom loader during a sanitation crew's removal of debris on July 12, 2000 at 2195 Venetian Drive, SW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Mary Bohanon** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained when a brick wall was damaged by a knuckleboom loader during a sanitation crew's removal of debris on July 12, 2000 at 2195 Venetian Drive, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0478

Date: October 20, 2000

Claimant /Victim MARY BOHANON

BY: (Atty) (Ins. Co.) _____

Address: 2195 Venetian Drive, SW, Atlanta, Georgia 30311

Subrogation: _____ Claim for Property damage \$ 4,000.00 Bodily Injury \$ _____

Date of Notice: 7/21/00 Method: Written, Proper X Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 7/12/00 Place: 2195 Venetian Drive, SW

Department PUBLIC WORKS Division Solid Waste Services

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained property damage when her brick wall was damaged by a knuckleboom loader during the sanitation crew's removal of debris from her property.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 2,000.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____

Claims Manager:  Concur/date 10-20-00

Committee Action: _____ Council Action _____

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0478

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND DOLLARS AND NO/100 DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City, its officers and employees, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly for or on account of a property damage incident which occurred on or about the 12th day of July, 2000, at or near 2195 Venetian Drive, SW.

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this _____ day of _____, 20 _____.

Mary Bohanon (LS)
MARY BOHANON

(LS)

The above release was read and explained to, and signed by the said Mary Bohanon in our presence on the date above written.
(Mary Bohanon)

Rhondalyn Abdullah
Linda E. Pruitt
WITNESSES

00-*R*-1721